



PUBLIC NOTICE

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COMMISSION ANNOUNCES ENTITY SELECTED FOR CERTIFICATION TO PARTICIPATE IN THE NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM FOR NEVADA

Washington, D.C. – The Federal Communications Commission’s (Commission) Consumer and Governmental Affairs Bureau (CGB) has selected the Perkins School for the Blind for certification to participate in the National Deaf-Blind Equipment Distribution Program (NDBEDP) for the state of Nevada.

The NDBEDP is a program mandated by Section 105 of the Twenty-First Century Communications and Video Accessibility Act (CVAA) that provides funding of up to \$10 million annually for the distribution of communications equipment to low-income individuals who are deaf-blind.¹ On April 4, 2011, the Commission adopted the *NDBEDP Pilot Order*, establishing the framework for a pilot program to fulfill this CVAA mandate.² In that *Order*, the Commission determined that it would certify one entity per state as eligible to receive support for the local distribution of equipment to low-income individuals who are deaf-blind.³ Each certified entity has primary oversight and responsibility for compliance with program requirements for its state, but certified entities may fulfill their responsibilities either directly or through collaboration, partnership, or contract with other individuals or entities in-state or out-of-state, including other NDBEDP certified programs.⁴ Participation in the NDBEDP also entails the provision of related services, including local outreach, individual assessments and training, as well as equipment installation and maintenance, that may be needed to effectively provide a person who is deaf-blind with the equipment that he or she needs to access the communications services covered by the CVAA.⁵

¹ Pub. L. 111-260, 124 Stat. 2751 (2010); *see also* Pub. L. 111-265, 124 Stat. 2795 (2010) (technical corrections to the CVAA). Section 105 of the CVAA adds Section 719 to the Communications Act of 1934, as amended, and is codified at 47 U.S.C. § 620. The CVAA allows the Commission to allocate these funds from the Interstate Telecommunications Relay Service Fund (TRS Fund).

² *See Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, CG Docket No. 10-210, Report and Order, 26 FCC Rcd 5640 (2011) (*NDBEDP Pilot Order*). The NDBEDP pilot will run for two years, with an option for the Commission to extend the program for another year. *Id.*, 26 FCC Rcd at 5649, ¶ 22.

³ *Id.*, 26 FCC Rcd at 5646, ¶ 12.

⁴ *Id.*, 26 FCC Rcd at 5647, ¶ 13.

⁵ *Id.*, 26 FCC Rcd at 5667-5676, ¶¶ 63-79. The NDBEDP pilot will cover the reasonable costs of such related services. *See* 47 C.F.R. § 64.610(f)(2).

The Commission launched the NDBEDP on July 1, 2012.⁶ On July 2, 2012, the Commission announced that it had selected one entity for each of the 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands to participate in the NDBEDP.⁷

CGB selected the Deaf and Hard of Hearing Advocacy Resource Center (DHHARC) as the certified program to participate in the NDBEDP for Nevada.⁸ DHHARC served as the certified program for Nevada until February 28, 2013, when it notified the Commission that it was relinquishing its certification to participate in the NDBEDP, effective on that date.⁹

On May 8, 2013, CGB invited applications for certification to participate in the NDBEDP for the state of Nevada.¹⁰ In response, the Commission received two applications, one from Easter Seals Nevada and the other from the Perkins School for the Blind (Perkins). In accordance with the *NDBEDP Pilot Order*, CGB reviewed each program's application for its ability to meet the following qualifications, either directly or in coordination with other programs or entities, as evidenced in the application and any supplemental materials, including letters of recommendation:

- expertise in the field of deaf-blindness, including familiarity with the culture and etiquette of people who are deaf-blind, to ensure that equipment distribution and the provision of related services occurs in a manner that is relevant and useful to consumers who are deaf-blind;
- ability to communicate effectively with people who are deaf-blind (for training and other purposes), by among other things, using sign language, providing materials in Braille, ensuring that information made available online is accessible, and using other assistive technologies and methods to achieve effective communication;
- staffing and facilities sufficient to administer the program, including the ability to distribute equipment and provide related services to eligible individuals throughout the state, including those in remote areas;
- experience with the distribution of specialized customer premises equipment, especially to people who are deaf-blind;
- experience in training users on how to use the equipment and how to set up the equipment for its effective use; and

⁶ *Commission Announces Launch of the National Deaf-Blind Equipment Distribution Program*, CG Docket No. 10-210, Public Notice, 27 FCC Rcd 7403 (CGB July 2, 2012).

⁷ *Commission Announces Entities Certified to Participate in the National Deaf-Blind Equipment Distribution Program*, CG Docket No. 10-210, Public Notice, 27 FCC Rcd 7397 (CGB July 2, 2012).

⁸ *Id.*

⁹ Letter from Martin Forsheim, Board President, Deaf and Hard of Hearing Advocacy Resource Center, to Jacqueline Ellington, Attorney Advisor, Disability Rights Office, Consumer and Governmental Affairs Bureau, FCC (February 28, 2013).

¹⁰ *FCC Invites Applications for Certification to Participate in the National Deaf-Blind Equipment Distribution Program in the State of Nevada*, Public Notice, 28 FCC Rcd 6360 (CGB May 8, 2013).

- familiarity with the telecommunications, Internet access, and advanced communications services that will be used with the distributed equipment.¹¹

Although CGB has determined that both applicants meet the Commission's qualifications for certification, the Perkins application demonstrated significantly more experience serving members of the deaf-blind community that the NDBEDP seeks to serve. As the NDBEDP certified program for Nevada, Perkins will be partnering with the Helen Keller National Center for Deaf-Blind Youth and Adults (HKNC). Perkins and HKNC, collectively, have more than 200 years of experience working with children and adults who are deaf-blind, both employ individuals who are deaf-blind, and both are experienced in providing accessible services in a manner that shows cultural awareness of the deaf-blind community. In addition, the Perkins application included letters of support from two additional organizations that provide related services to individuals with disabilities and their families in Nevada.¹²

Accordingly, CGB has selected the Perkins School for the Blind for certification to participate in the NDBEDP for the state of Nevada. Certification is granted to the Perkins School for the Blind effective July 1, 2013, and continues for the duration of the NDBEDP pilot, subject to compliance with program requirements.¹³

ACCESSIBLE FORMATS: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

FOR FURTHER INFORMATION CONTACT: Jackie Ellington, Consumer and Governmental Affairs Bureau, 202-418-1153, e-mail Jackie.Ellington@fcc.gov; or Rosaline Crawford, Consumer and Governmental Affairs Bureau, 202-418-2075, e-mail Rosaline.Crawford@fcc.gov.

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¹¹ See 47 C.F.R. § 64.610(b)(3).

¹² Although not required, the Easter Seals Nevada application did not include letters of support or recommendation.

¹³ *NDBEDP Pilot Order*, 26 FCC Rcd at 5647, ¶ 14. See generally, 47 C.F.R. §§ 64.610(a)-(k).